

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination disclosed that the product was short of the declared weight.)

DISPOSITION: October 18, 1951. The Santa Cruz Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

18572. Adulteration and misbranding of oysters. U. S. v. 784 Cans * * * (F. D. C. No. 32323. Sample No. 3819-L.)

LABEL FILED: December 26, 1951, Southern District of Illinois.

ALLEGED SHIPMENT: On or about December 17, 1951, by Irvington Fish & Oyster Co., Inc., from Irvington, Va.

PRODUCT: 784 1-pint cans of oysters at Springfield, Ill.

LABEL, IN PART: "Oysters Standards * * * King Carter Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the article was represented as oysters standards, and it failed to conform to the definition and standard of identity for oysters standards since it was not thoroughly drained; and in preparation of the article, the total time of contact with water or salt water after leaving the shucker, computed as directed by the definition and standard, was more than 30 minutes.

DISPOSITION: January 19, 1952. Default decree of condemnation and destruction.

18573. Adulteration and misbranding of oysters. U. S. v. 54 Cans, etc. (and 2 other seizure actions). (F. D. C. Nos. 31995, 31996, 31998. Sample Nos. 3409-L to 3411-L, incl., 3583-L, 4204-L.)

LABELS FILED: On or about November 5, 6, and 21, 1951, Eastern District of North Carolina and District of Maryland.

ALLEGED SHIPMENT: On or about October 31 and November 1, 1951, by the York River Seafood Co., from Seaford, Phoebus, and Yorktown, Va.

PRODUCT: 198 1-pint cans of oysters standards and 362 1-pint cans of oysters selects in various quantities at Roanoke Rapids, N. C., and Baltimore, Md.

LABEL, IN PART: (Cans) "Oysters Standards" and "Oysters Selects"; (portions) "Bay Brand Oysters."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been mixed and packed with the oysters so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to conform to the definitions and standards of identity for oysters standards and oysters selects since in their preparation, the total time of contact with water after leaving the shucker was more than 30 minutes; and portions of the oysters

failed also to conform to the definitions and standards since they had not been thoroughly drained as required by the regulations.

DISPOSITION: November 27 and December 13, 1951. Default decrees of condemnation and destruction.

18574. Adulteration and misbranding of oysters. U. S. v. 144 Cans * * *.
(F. D. C. No. 32175. Sample No. 4542-L.)

LIBEL FILED: November 23, 1951, Western District of New York.

ALLEGED SHIPMENT: On or about November 17, 1951, by C. W. Howeth & Bro., from Crisfield, Md.

PRODUCT: 144 cans of oysters at Rochester, N. Y.

LABEL, IN PART: (Can) "Oysters Standards 1 Pint H & B Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, section 403 (g) (1), the oysters failed to conform to the definition and standard of identity for oysters standards since they were not thoroughly drained; and in the preparation of the oysters, the total time of contact with water after leaving the shucker, computed as directed in the definition and standard, was more than 30 minutes.

DISPOSITION: December 28, 1951. Default decree of condemnation and destruction.

18575. Adulteration of frozen shrimp. U. S. v. 115 Cases, etc. (F. D. C. No. 32582. Sample Nos. 10030-L, 10031-L.)

LIBEL FILED: March 12, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 16, 1951, and January 26, 1952, by the Colter Corp., from Palacios, Tex.

PRODUCT: Frozen shrimp. 115 cases, each containing 9 5-pound cartons, and 63 cases, each containing 48 1-pound packages, at Chicago, Ill.

LABEL, IN PART: (Portion) "Texas Fisheries Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of house flies, and of a decomposed substance by reason of the presence of decomposed shrimp.

DISPOSITION: May 6, 1952. The Slade Gorton Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into fish bait.

18576. Adulteration of frozen shrimp. U. S. v. 35 Packages * * *. (F. D. C. No. 32282. Sample No. 29633-L.)

LIBEL FILED: December 20, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about July 16, 1951, by L. W. Card, from Portland, Oreg.